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LETTER DISCUSSING U S EPA REGION IV POSITION REGARDING THE MOVEMENT OF
CONTAMINATED SOILS AND HOW IT SHOULD NOT HAVE AN ADVERSE IMPACT ON
REMEDIAL ACTIVITIES NAS JACKSONVILLE FL
1/29/1992
U S EPA REGION IV



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

JAN 29 1992

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

4WD-RCRA/FF

Mr. Joel Murphy
Southern Division
NAVFACENGCOM
Mailcode 18213
P.O. Box 10068
1255 Eagle Drive
Charleston, S.C. 29411-0068

RE: Local Naval Housing Public Meeting and MILCON work at OU #3

Dear Mr. Murphy:

The U.S. Environmental Protection Agency (EPA) appreciated the opportunity to attend the public meetings held on January 23, 1992, for the local Naval residents living adjacent to the Operable Unit Number 1 site. EPA believes that the meetings were successful in relaying the type of remedial work that will be performed at the site, as well as the fact that unauthorized personnel should keep out of the work site.

Based on our telephone conversation of January 27, 1992, I understand that the Navy will have an off-base presentation on March 3, 1992. EPA requests a copy of the agenda and all handouts and for this up-coming meeting at least one week in advance in order to review the information presented.

While at the meeting you debriefed me regarding the up-coming MILCON work to be performed at Operable Unit Number 3. I wish to reiterate EPA's position regarding the movement of contaminated soils. While the Guide to Management of Investigation-Derived Wastes discusses the option of moving contaminated soils within an "Area of Concern", the net effect should not have an adverse impact on remedial activities or releases of hazardous substances. The movement of soils within the approved Operable Unit Number 1 workplan was directly related to small amounts of soil as part of a sampling effort and did not deal with large volumes of waste movement. Because the MILCON work which is being proposed for OU #3 involves large volumes of contaminated soil and because part of the soil is to be disposed of and part of it is to be used as fill, EPA does not accept the Navy's position as relates to this "guidance" and does not believe that it relates to this situation. EPA recommends that the Navy propose an interim remedial Record of Decision for the removal of contaminated soils during the MILCON project at OU#3.

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As per the Federal Facility Agreement, any work to be performed within a designated Operable Unit must follow primary document submissions and reviews. EPA will work with the Navy to expedite removals and remedial actions, but the proper documentation and processes must be provided. Failure to comply with applicable or relevant and appropriate standards (PRRS) or taking an adverse action could result in a stop work notice from EPA in accordance with Section XI. IMMINENT AND SUBSTANTIAL ENDANGERMENT, Part B., of the Federal Facility Agreement.

The Navy must also coordinate all removal/remedial actions with the Florida Department of Environmental Regulation (FDER). In this case regarding soil movement and disposal the Navy must comply with FDER and EPA Resource Conservation and Recovery Act land disposal regulations (40 CFR 124, and 260 through 271). Failure to do so may result in the Navy's criminal liability and prosecution.

If you have any questions, please call me at (404) 347-3015.

Sincerely yours,

Carl R. Froede Jr.

Carl R. Froede Jr.
Remedial Project Manager
DoD Remedial Section

cc: Kevin Gartland, NAS Jacksonville
James Malone, SOUTHNAVFACNGCOM
Eric Nuzio, FDER
Jorge Caspary, FDER